

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA

Hand-Delivered

ASHEVILLE DIVISION

WILLIAM C. BURNHAM  
PLAINTIFF

CIVIL ACTION No.

1:18cv85

VS.

MISSION HOSPITAL  
DEFENDANT

FILED  
ASHEVILLE, N.C.

APR 02 2018

U.S. DISTRICT COURT  
W. DIST. OF N.C.

JURISDICTION OF THIS COURT IS INVOKED PURSUANT TO 29 U.S.C. SEC. 794 (A) THE REHABILITATION ACT. THE AMERICANS WITH DISABILITIES ACT 42 U.S.C. SEC 12101. THIS ACTION IS FOR INJUNCTION AND DECLARATORY JUDGEMENT ONLY. PLAINTIFF SEEKS NO MONEY OR ATTORNEY FEES.

VENUE IS PROPER IN THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION WHERE THE ACTS AND OMISSIONS OCCURED. IN ~~THE~~ BUNCOMBE COUNTY ASHEVILLE NORTH CAROLINA. ALSO DEFENDANT IS LOCATED IN THIS DIVISION AND PLAINTIFF IS LIVEING HOMELESS.  
(PARTIES SEE BACK OF THIS PAGE)

## PARTIES

PLAINTIFF: WILLIAM C. BURNHAM, MAY BE SERVED  
WITH ALL RESPONSIVE PLEADINGS AND OR COURT DOCUMENTS TO THIS CIVIL ACTION AT U.S. POST OFFICE  
GENERAL DELIVERY OTEEN BRANCH ASHEVILLE, N.C.  
28805

DEFENDANT: MISSION HOSPITAL 509 BELTMORE  
AVENUE, ASHEVILLE, N.C. 28801. ATTN: REGISTERED  
AGENT CORPORATION LOCATION

DEFENDANT MISSION HOSPITAL IS A RE-  
CEPIENT OF FEDERAL FINICIAL ASSISTANCE  
VIA MEDICARE AND MEDICAIDE PAYMENTS FROM  
THE U.S DEPARTMENT OF HEALTH AND HUMAN SER-  
VICES. ALSO IT RECEVES SUPPORT FROM CDC  
IN THE FLU OUT BREAKS, ALSO IT IS A  
501 C 3 ORIGNATION.

IN REGURD TO THE AFOREMENTIONED MIS-  
SION HAS AGREED TO COMPLY WITH CIVIL  
RIGHTS OF NONDISCRIMANATION AND THE  
AMERICANS WITH DISBILITES ACT.

DEFENDANT AS A 501 C 3 ORIGZATION ALTHOUGH  
NOT ACTIONABLE IN A U.S. DISTRICT COURT BY PLA-  
INTIFF IS PRESALVE<sup>\*</sup> TO THE FACTS IN THIS CASE.  
DEFENDANT HAS DISCRIMINATIONED AGAINST PLAINT-  
IFF AS CONPAIRED TO OTHER SIMARLLY SITUATED PER-  
SONS IN DENYING HIM ACCESS TO THE PARTS OF THE  
COMPLEX HOUSE RECORDS AND GREVENCE PROCED-  
URES AND CAFATURE<sup>\*</sup> THAT IS OPEN TO THE PUBLIC  
BY TELLING HIM HE WOULD BE ARESTED.

PLAINTIFFS ADA CLAIMS AMERICANS WITH DIS-  
ABILITIES ACT 42 U.S.C. SEC 12101 ARE SIMPLE  
AND ON POINT. (A) PLAINTIFF IS A QUALIFIED  
INDIVUAL WITH A DISIBILITY SEVER MOBILITY

IMPAIRMENTS AND MUST USE AMBULATORY DEVICES FOR MOBILITY. HOSPITALS SUCH<sup>AS</sup> MISSION HAVE MANY U.S. DEPARTMENT JUSTICE CIVIL RIGHTS DIVISION DISABILITY RIGHTS SECTION TECHNICAL ASSISTANCE MANUALS FOR GUIDANCE SPECIFICALLY FOR HOSPITAL SETTINGS.

HOSPITAL AND MEDICAL FACILITIES SHOULD AND HAVE BEEN HELD TO A HIGH STANDARD FOR ADA ACCESSIBILITY DUE TO THE MUCH GREATER CHANGE OF DISABLED NEEDING ACCESSIBILITY.

IN THE CASE OF MISSION WERE THE U.S. DEPARTMENT OF JUSTICE'S ANTI TRUST DIVISION HAS ALLOWED A CORPORATION TO TAKE OVER AN ENTIRE COUNTY AND CITY'S HOSPITAL SYSTEM THEY HAVE TAKEN THE COMPETITIVENESS OUT. AND THE DENIAL OF ADA RIGHTS ARE MORE LIKELY.

PLAINTIFF HAS BEEN DISCRIMINATED AGAINST BY MISSION HOSPITAL IN THE FULL ENJOYMENT OF ITS MEDICAL SERVICES BY

NON COMPLIANCE WITH THE ADA AND THE ~~ADA~~ ADA STATORY GUIDELINES. IN NON-  
COMPLIANCE WITH THE PORPORTATION OF  
DISABLED PARKING SPACES WHEN TAKEN  
OUT OF THE ENTIRE NUMBER OF PARKING  
SPACES.

SLOPES ENTERING THE E.R DEPT ON WHEEL-  
CHAIR RAMP ARE NOT WITHIN COMPLIANCE.

THERE IS NO ACCESSIBLE ROUTE OF TRAVEL  
FOR DISABLED PATRONS GOING TO THE  
EMERGENCY DEPARTMENT.

THE AREA WHERE RECORDS ARE HOUSED ARE  
SO NARROW PLAINTIFF COULD NOT EVEN  
GET OUT OF WHEELCHAIR AND GO ON  
CRUTCHES I MEAN WHAT THE HELL DID  
CONGRASS PASS THE LAW FOR.

THERE ARE SO MANY MORE VIOLATIONS  
PLAINTIFFS HAND WANT EVEN HOLD OUT  
TO WRITE THEM.

IN REGURD TO PLAINTIFFS INJUNCTION PLEADING RELIEF LET HIM CLEARLY PLEAD THE FOLLOWING.

PLAINTIFF HAS BEEN DISCRIMINATED AGAINST BY DEFENDANT IN REGURD TO ACCESSIBILITY AT MISSION HOSPITAL IN ASHEVILLE NORTH CAROLINA.

ACTS AND OMISSIONS OCCURED ON OR ABOUT MARCH 12TH 2018.

PLAINTIFF IS POSITIVE HE WILL RETURN TO SEEK SERVICES, RECORDS, AND FILE COMPLAINT. IN THE FUTURE. PLAINTIFF HAS SUFFERED INREPALED HARM

### RELIEF

AN INJUNCTION TO CORRECT ACCESSIBILITY UNDER THE ADA.

AN INJUNCTION TO SEEK RECORDS PLAINTIFF HAS RIGH TO WITHOUT THE THREAT OF ARREST AND EAT AT THE CAFATERY.

A DECLARTORY JUDGEMENT PLAINTIFF RIGHTS WERE VIOLATED

PLAINTIFF WILLIAM C. BURNHAM IS AN INTENDED BENEFECERY OF THE FEDERAL FINICIAL ASSISTANCE MISSION HOSPITAL BECAUSE HE HAS MEDICARE PART A & B.

DEFENDANT MISSION HOSPITAL IS A DOCUMENTED MEDICIAL PROVIDER FOR THOES WHO HAVE MEDICARE.

~~DEFENDANT~~ MISSION HOSPITAL IS ALSO A PROVIDER OF MEDICAIDE WHICH IS ADMINISTERED BY THE STATE OF N.C. BUT IS ~~IN~~ PART FUNDED BY THE FEDERAL GOVERNMENT.

PLAINTIFF RECALLS 1 CASE WERE A GRANT FROM THE FEDERAL GOVERNMENT TO FIX A RAIL ROAD CROSSING MADE THE RAIL ROAD COMPANY A RECEIPTENT OF FEDERAL FINICIAL ASSISTANCE.

THE DEFENDANT ALSO RECEIVES BLOCK GRANTS, AND OTHER GRANTS. THAT OR IN PART OR WHOLE THAT FEDERAL FUNDED.

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ADDITIONAL PLEEDING FOR 29 U.S.C.  
SEC 794 (A)

THE UNDERSIGNED DECLARES UNDER PENALTY OF  
PERJURY HE IS PLAINTIFF AND ALL IS TRUE AND  
CORRECT 28 U.S.C. SEC 1746 AND 18 U.S.C. SEC  
1621

WILLIAM C. BURHAM  
William C. Burham  
APRIL 2 2018